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Crl.O.P. No.15257 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

CORAM

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No.15257 of 2025

Nagaraj @ Naga

... Petitioner/ Accused

Vs.

The State Rep. By,
The Inspector of Police,
Vellore South Crime Police Station,
Vellore District.
(Crime No.47 of 2021)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, pending trial in C.C.No.213 of 2023 on the file of the Judicial Magistrate -I at Vellore, Vellore District in connection with Crime No.47 of 2021 on the file of the respondent police.

For Petitioner : Mr. G. Nirmal Krishnan

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



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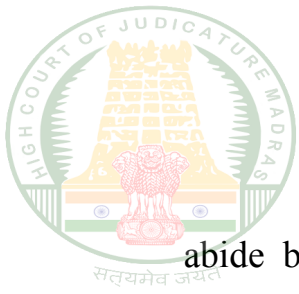
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ORDER

Petition seeking bail in respect of C.C.No.213 of 2023 on the file of the Judicial Magistrate-I at Vellore, Vellore District in connection with Crime No.47 of 2021 registered for the alleged offences punishable under Section 392 of IPC, is on board for consideration.

2. The case of the prosecution is that the petitioner was involved in the case of robbery and after completion of the investigation the respondent had filed charge sheet, which has been taken on file in C.C.No.213 of 2023 before the Judicial Magistrate-I at Vellore and NBW was issued against the petitioner on 04.10.2024 and subsequently, the petitioner was remanded to P.T. Warrant on 17.02.2025.

3. The learned counsel appearing for the petitioner submitted that the petitioner was initially arrested in Crime No.47 of 2021 and thereafter, he was released on bail. He further submitted that the petitioner has been remanded to P.T. Warrant on 17.02.2025 with respect to the NBW pending against the petitioner. He further submitted that the petitioner is ready to



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abide by any stringent conditions that may be imposed by this Court and prayed for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent on instruction submitted that there are 6 previous cases against the petitioner. He further submitted that the petitioner has not appeared for the trial, hence NBW was issued against him, thereby he was arrested and remanded. Hence, he opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the nature of allegation against the petitioner, the submissions made by the learned counsels on either side, the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail with the following conditions:

(1) The petitioner shall execute a bond for **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate-I at Vellore;**



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(2) The petitioner shall appear before the Trial Court on all the hearing dates; and further the petitioner shall appear before the respondent police everyday at 10:30 a.m. for a period of 30 days, except on the hearing dates, until further orders;

(3) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Metropolitan Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(4) The petitioner shall make himself available for interrogation by a Police Officer as and when required;

(5) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses;

(6) The petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

(7) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].



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(8) If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 of B.N.S.

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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**

To

1. The Judicial Magistrate -I,
Vellore.
2. The Inspector of Police,
Vellore South Crime Police Station,
Vellore District.
(Crime No.47 of 2021)
3. The Superintendent,
Central Jail, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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M. NIRMAL KUMAR, J.

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